

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
MISSOULA DIVISION

FILED

NOV 08 2017

Clerk, U.S. Courts
District Of Montana
Missoula Division

UNITED STATES OF AMERICA,

Cause No. CR 15-06-M-DLC

Plaintiff,

vs.

ORDER

FREDERICK GLEN JOHNSON,

Defendant.

This case comes before the Court on Defendant Johnson's "request to lower sentence." Johnson is a federal prisoner proceeding pro se.

Johnson asks the Court to reduce his sentence under 18 U.S.C. § 3582(c)(2) and Amendments 782 and 788 to the United States Sentencing Guidelines.

Amendment 782 lowered base offense levels for federal drug offenses.

Amendment 788 made Amendment 782 applicable to persons sentenced before

November 1, 2014. On November 1, 2014, Amendment 782 went into effect as

U.S.S.G. § 2D1.1(c). Therefore, the lower base offense levels necessarily applied

to all persons who were convicted of federal drug offenses and who were

sentenced after November 1, 2014. *See* U.S.S.G. Appendix C Supplement (Nov. 1,

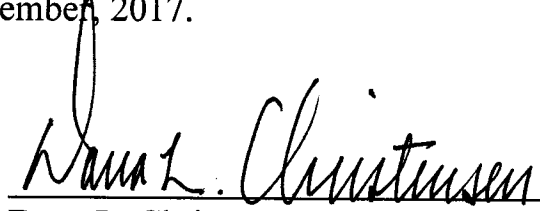
2016) at 63-73, 85-87.

Johnson was sentenced on November 13, 2015. *See* Minutes (Doc. 128).

He received the benefit of Amendment 782 at his sentencing hearing and is not eligible for a reduced sentence under 18 U.S.C. § 3582(c)(2).

Accordingly, IT IS HEREBY ORDERED that Johnson's motion to reduce his sentence under Amendments 782 and 788 (Doc. 158) is DENIED.

DATED this 8th day of November, 2017.



Dana L. Christensen, Chief Judge
United States District Court